



# REPORT TO SOCIAL SERVICES APPROPRATIONS SUBCOMMITTEE

October 16, 2018





# UTAH DIVISION OF JUVENILE JUSTICES SERVICES

## Accomplishments in FY 2018 unless otherwise noted

### OPERATIONAL EFFICIENCY

- Increase by 15.5 percent the number of youth served in their homes, schools and communities
- Decreased by 8.9 percent the number of youth in state custody
- Reduced by 13.6 percent the JJS workforce through facility and program consolidation and private contracts without compromising services or quality
- Opened the Weber Valley Youth Center, closing five buildings
- Piloted with State Purchasing a new procurement process to more quickly obtain needed services from the private sector
- Developed a Three Year Strategic Plan with measurable goals and target dates
- Since FY 2012, reduced by 30 percent staffed detention beds

- Launched a Performance Dashboard to report on youth served, programs, costs, and recidivism rates
- Implemented a validated Detention Risk Assessment Tool to safely place youth in alternatives to detention
- Expanded statewide the Correctional Program Checklist evaluation tool to assess program effectiveness
- Developed a model for predicting recidivism risk to more effectively address the needs of youth in custody

### DATA DRIVEN

### PARTNERSHIPS

- Extended existing business agreements through amendments with youth residential care providers for FY 2019
- Increased provider rates by 5 percent, and will offer an additional 5 percent incentive for program completion in 90-days
- Invested in the expansion of the Northern Utah Stabilization and Mobile Response crisis teams
- Secured agreements with local area authorities to provide behavioral health treatment services to youth in the community and youth in custody
- Expanded educational and vocational offerings to youth in facilities with support from the Utah State Board of Education and the higher education system



## JUVENILE JUSTICE REFORM – IMPACT AND COSTS

Members of Social Services Appropriation Subcommittee requested information from the Division of Juvenile Justice Services (JJS) about the following two areas:

- **How has juvenile justice reform impacted cost per youth?**
- **What cuts has JJS had to services and budget? What are the agency's needs?**

### REFORM AND COST PER YOUTH

In 2017, the Utah Legislature passed juvenile justice reform legislation designed to promote public safety and hold juvenile offenders accountable; control costs; and improve recidivism and other outcomes for youth, families and communities. Reform measures were phased in over two years and prioritized the use of early intervention and diversion programs to keep youth out of the court system, provide in-home services for youth and families, and utilization of evidence-based programs to reduce recidivism.

The table below summarizes the required reform related changes the division implemented. The changes were achieved through reinvestment of savings from the reduction and closure of residential programs; **no new appropriations were required.**<sup>1</sup>

2017	2018
<ul style="list-style-type: none"><li>• Expanded new evidence-based programs for youth in every judicial district</li><li>• Opened a new receiving center<sup>2</sup> in Moab and Davis County</li><li>• Developed and implemented new detention admission guidelines</li><li>• Expanded home detention<sup>3</sup> to every judicial district</li><li>• Closed residential Observation and Assessment (O&amp;A) programs and implemented in-home O&amp;A</li><li>• Closed residential work camps</li><li>• Made changes to the Youth Parole Authority which now conducts all initial hearings within 45 days of commitment</li></ul>	<ul style="list-style-type: none"><li>• Developed and implemented a detention risk assessment tool</li><li>• Improved case planning procedures to effectively place youths with the right treatment provider by court deadlines<sup>4</sup></li><li>• Offered incentives to providers to serve youth in rural communities</li><li>• Offered incentives to providers to deliver 90-day evidence-based residential interventions</li><li>• Redesigned treatment delivery in secure care facilities to adhere to evidence-based dosage requirements within shorter presumptive lengths of stay<sup>5</sup></li></ul>

<sup>1</sup> HB 239 Juvenile Justice Amendments Annual Report, CCJJ, December 2017.

<sup>2</sup> Receiving centers provide temporary shelter for arrested, runaway or at-risk youths.

<sup>3</sup> Youth in detention can be released by a judge to be supervised by JJS home detention staff.

<sup>4</sup> UCA 78A-6-117.

<sup>5</sup> Per UCA 78A-6-117, "the presumptive maximum length of out-of-home placement may not exceed three to six months.



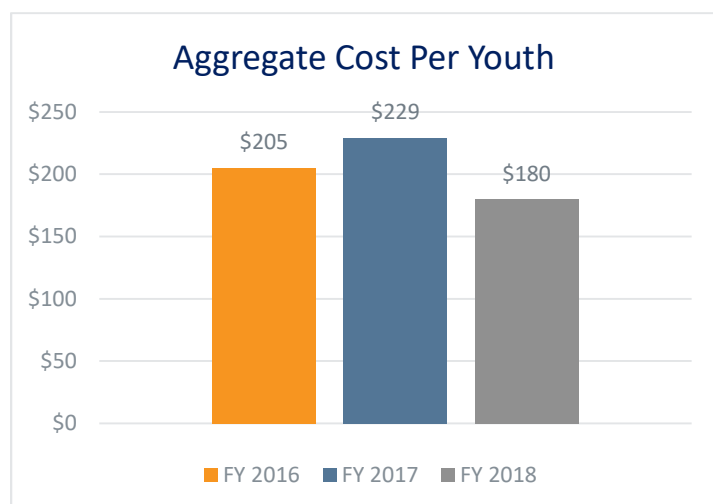
## CALCULATING COST PER YOUTH

The division calculates the cost per youth by dividing the total expenditures per fiscal year by the average nightly count of youth served during the same fiscal year. This formula is the same calculation used by the Office of the Legislative Auditor General. The nightly count of youth is the unduplicated number of youth served each day during the year. The division has this calculation on its public-facing data dashboard.

## AGGREGATE COST PER YOUTH

The division operates a wide array of services, from crisis residential to early intervention to custody programs and transition services. The division also contracts with local mental health authorities and private providers to deliver services to youth. These services include clinical assessments, individual and family counseling, proctor care, and residential treatment services.

The “Aggregate Cost per Youth” graph represents total JJS expenditures for all programs and services divided by an unduplicated count of youth served. The information does not consider days of service which may range from one day to a full year of service for individual youth. Program level costs are provided in subsequent graphs.



*The data show that between FY 2016 and FY 2017, costs per youth increased 10 percent over the previous year. Cost per youth declined 21 percent from FY 2017 to FY 2018. These declines are attributed to serving more youth in early intervention programs and in non-residential settings.*

## SECURE CARE COST PER YOUTH

Secure care facilities are for youth adjudicated on a serious offense or found to habitually offend. The overall goal of secure care is the successful reintegration of youth in the community. Case managers work with facility and transition staff to provide quality treatment grounded in evidence-based principles. Youth are given the opportunity to change their lives by developing skills to address the social, educational and other criminogenic factors identified as contributing to their delinquency. Specialized programming is also available for girls, youth with substance use problems, and youth who have offended sexually. All youth are required to attend school or participate in a vocational program. The length of stay in a facility is determined by the Youth Parole Authority, who assumes jurisdiction of the youth upon the youth's commitment up to age 21. The division is also housing a small number of youth under the age of 18 convicted as adults.

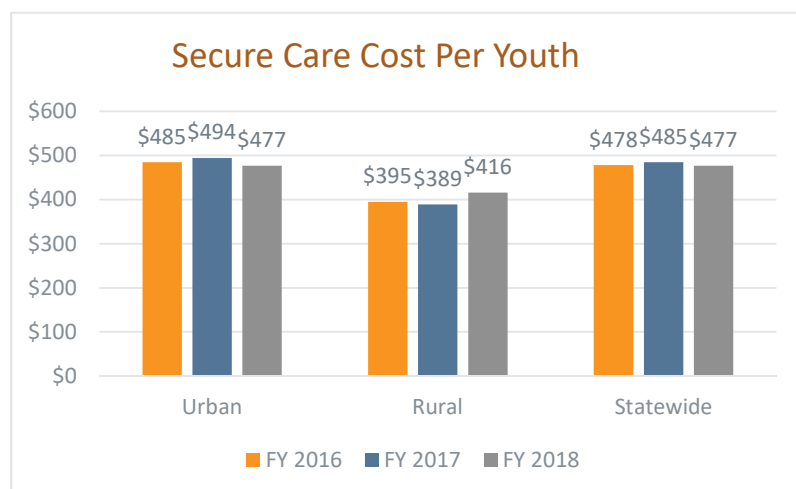


Reflecting decreased population demand, on June 30, 2018, Wasatch Youth Center in Salt Lake County was closed. Youth were transferred to other facilities and the division's staffing dropped to 146 beds with an operational capacity of 182 beds. The following table is a list of Utah's secure care facilities and total capacity.

FY 2019 Secure Care Facilities	County	Staffed <sup>6</sup> Capacity	Unstaffed <sup>7</sup> Capacity	Notes
Mill Creek Youth Center	Weber	64	18	On March 28, 2018, a 16-bed unit was opened, expanding capacity from 48 beds to 64 staffed beds. Youth were transferred to this facility as part of the Wasatch Youth Center closure.
Farmington Bay Youth Center	Davis	10	8	This unit is for females only. The facility also operates detention for males and females.
Decker Lake Youth Center	Salt Lake	30	10	This facility operates a specialized unit for youth who have offended sexually and two general population units.
Slate Canyon Youth Center	Utah	32	0	This facility also operates detention.
Southwest Utah Youth Center*	Iron	10	0	This facility also operates detention.
<b>TOTAL BEDS</b>		<b>146</b>	<b>36</b>	

\*rural facility

Statewide cost per youth in secure care in FY 2018 was \$477.26, virtually unchanged from the previous three years.



*The statewide cost per youth in secure care essentially remained the same over the last three years.*

<sup>6</sup> Staffed beds represent the number of beds available for use based on required staffing levels.

<sup>7</sup> Unstaffed capacity is the number of beds in a facility that are currently unstaffed and not available for use.

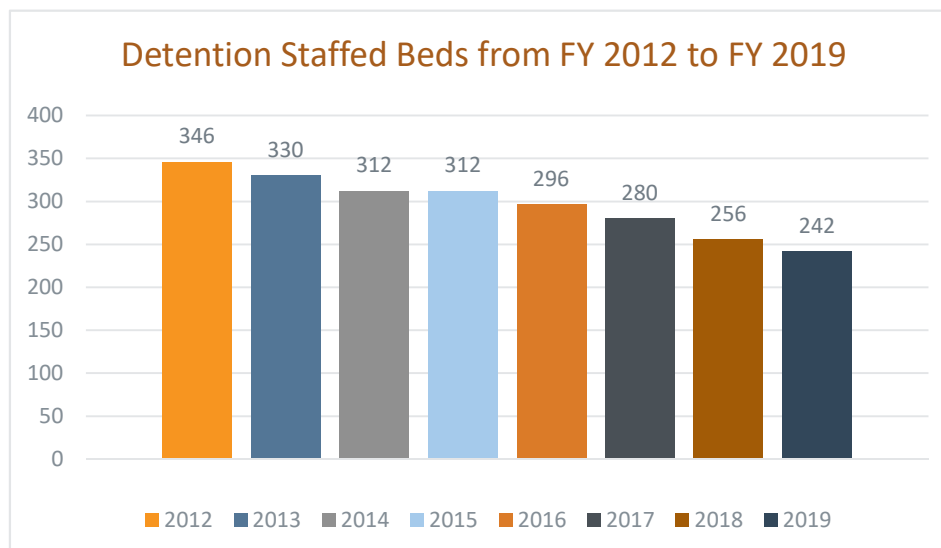


## DETENTION COST PER JUVENILE

Detention facilities provide short-term confinement for youth awaiting adjudication or placement or serving a sentence ordered by the Juvenile Court. Detention is often a youth's first point of contact with Utah's juvenile justice system. While in residence, youth participate in structured programming, receive educational services and are given a medical and mental health screening. Statewide, JJS operates 11 detention facilities, four urban facilities and seven rural facilities. The mean length of stay in FY 2018 was 8.3 days.

Reform legislation has significantly reduced the number of youth admitted to detention. In FY 2016, there were 6,740 admissions to detention. In FY 2018, that number declined by 43.9 percent to 3,780 admissions. This decrease is attributed to a change in detention admission guidelines and intentional efforts on the part of the division to reserve this custody status for only the highest risk offenders. The state's Juvenile Justice Working Group found that youth who did not spend time in detention had better outcomes than youth who were detained for the same offense.<sup>8</sup> If a youth must be in detention, a location close to the youth's home helps maintain important formal and natural supports necessary for the youth's reintegration back to the community.

Declining detention populations permitted the closure of a detention unit at the Salt Lake Valley Detention Center and a unit at Slate Canyon Youth Center in Provo in March of 2018. When sustained population declines support a closure, the division has been proactive in reducing staffed beds. The table below illustrates the reduction in staffed beds over time. Since FY 2012, the division has eliminated 104 staffed beds, a 30 percent reduction.



*There has been a 30 percent decline in the number of staffed detention beds since FY 2012.*

<sup>8</sup> Utah Juvenile Justice Working Group. (2016). *Final Report*. Salt Lake City: Commission on Criminal and Juvenile Justice.



Below is a table of all JJS detention facilities. In May of 2018, the division closed Weber Valley Detention Center and moved all youth to the new Weber Valley Youth Center, a multi-use facility that includes detention, early intervention, case management and transition services. The new facility was built with future growth in mind and has 48 beds in four 12-bed units. The division will continue to staff 24 beds (two units) at this facility. The division is staffing 242 detention beds but has an operational capacity of 360 beds.

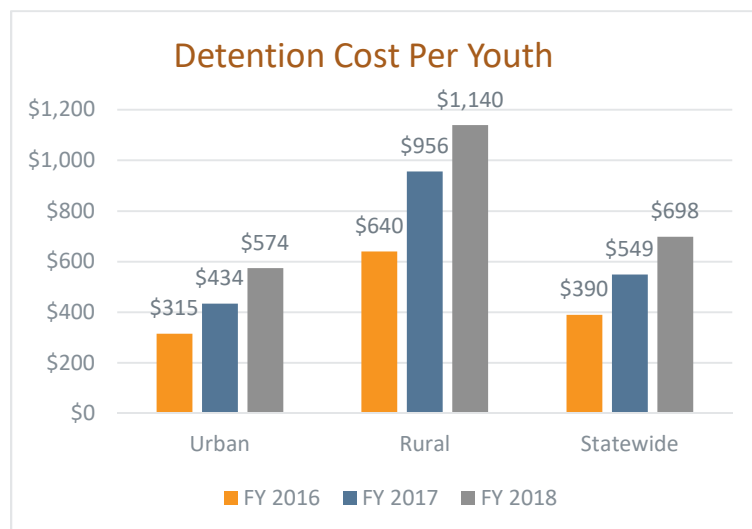
<b>FY 2019 Detention Facilities</b>	<b>County</b>	<b>Staffed Capacity</b>	<b>Unstaffed Capacity</b>	<b>Notes</b>
<b>Weber Valley Detention Center/ Weber Valley Youth Center</b>	Weber	24	24	Weber Valley Detention Center closed in May of 2018, replaced by the new Weber Valley Youth Center.
<b>Farmington Bay Youth Center</b>	Davis	16	24	This facility also operates a 10-bed secure care unit for females.
<b>Salt Lake Valley Detention Center</b>	Salt Lake	64	32	In March 2018, a 16-bed unit was closed, reducing staffed capacity from 80 to 64 beds.
<b>Slate Canyon Youth Center</b>	Utah	32	6	In March 2018, an 8-bed unit was closed, reducing staffed capacity from 38 to 30 beds.
<b>Cache Valley Youth Center*</b>	Cache	16	0	Multi-use facility. All beds are contained in living one unit.
<b>Split Mountain Youth Center*</b>	Uintah	16	0	Multi-use facility. All beds are contained in living one unit.
<b>Central Utah Youth Center*</b>	Sevier	16	0	Multi-use facility. All beds are contained in living one unit.
<b>Castle Country Youth Center*</b>	Carbon	16	0	Multi-use facility. All beds are contained in living one unit.
<b>Southwest Utah Youth Center*</b>	Iron	10	0	Multi-use facility. All beds are contained in living one unit.
<b>Dixie Area Detention Center*</b>	Washington	16	32	In FY 2017 a 16-bed unit was closed, reducing staffed capacity from 32 to 16.
<b>Canyonlands Youth Center*</b>	San Juan	16	0	Multi-use facility. All beds are contained in living one unit.
<b>TOTAL</b>		<b>242</b>	<b>118</b>	

\*rural facility

While bed capacity shows the division still has excess beds available, most of those beds are in rural facilities. Most rural multi-use facilities have one detention unit containing up to 16 beds. The cost to operate a 16-bed unit is the same as operating an eight-bed unit due to the division's staffing requirement of two staff per unit during the day. This staffing requirement for detention and secure care takes into consideration the safety and security of youth and employees. JJS direct care staff are not law-enforcement certified and the division does not employ separate security staff. Rather, the division relies on the ability of staff to develop positive relationships with the youth to manage behavior. Staff are also trained on de-escalation techniques and physical restraints. In addition, cameras, staff radios and facility duress alarms are used to identify situations where additional staff responses are needed.



In FY 2016, the statewide cost per youth in detention was \$390 and increased to \$698 in FY 2018, a 44 percent increase.



*The statewide detention cost per youth increased 44 percent from FY 2016 to FY 2018. The number of admissions to detention declined from 6,740 in FY 2016 to 3,780 in FY 2018.*

The division estimates that costs per youth will continue to increase as fewer youth are detained under the new detention guidelines coupled with the application of the Detention Risk Assessment Tool. While the division is committed to the efficient operations of facilities and has proactively closed units where indicated, reducing costs are difficult to achieve in rural facilities that operate one detention unit. The division is currently examining different staffing patterns for rural facilities but does acknowledge that these changes are unlikely to result in a significant reduction in cost per youth. The only means for reducing cost per youth is to close a facility, which could have negative repercussions to the local community and its ability to effectively respond to juvenile delinquency. Rural multi-use facilities provide a full spectrum of services in addition to detention. Services include crisis shelter, early intervention classes, case management and transition. The inclusion of detention services at these multi-use facilities was done as an efficiency measure, yet their declining utilization results in a higher cost per youth for detention.

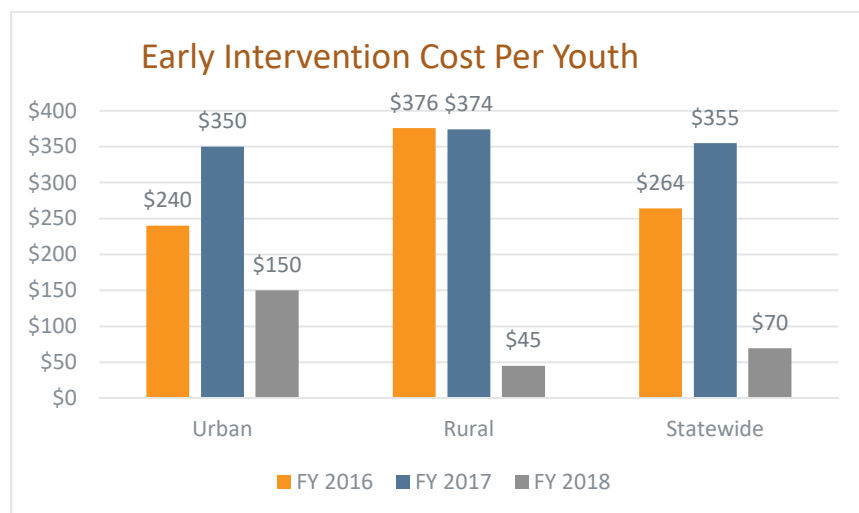
#### EARLY INTERVENTION COST PER JUVENILE

Following juvenile justice reform, the division's early intervention programs were transformed. Prior to reform, the programs consisted of residential Observation and Assessment (O&A), residential work camps, and non-residential skill-based programs for court-ordered youth in selected judicial districts. The Juvenile Justice Working Group identified the need to provide consistent statewide opportunities for early intervention in non-residential settings.

In FY 2018, the division reinvested the savings from the legislatively mandated closure<sup>9</sup> of residential O&A programs and residential work camps to launch home detention services, in-home O&A, school-based outreach, and brief community intervention in each judicial district. These programs were designed to serve court-ordered and school/parent referred youth.

<sup>9</sup> UCA 62A-7-101





*In FY 2016 and 2017, the cost per youth shown in these graphs for early intervention included residential and non-residential programs. In FY 2018, residential early intervention programs were eliminated.*

#### COMMUNITY PLACEMENT COST PER JUVENILE

Community placement provides residential and non-residential services to youth ordered into division custody for care and treatment. Residential services range from highly structured group homes with 24-hour-per-day supervision to proctor programs that place individual youth in individual family homes. Collectively, these services provide a continuum of resources available to meet the varied supervision and treatment needs of JJS youth.

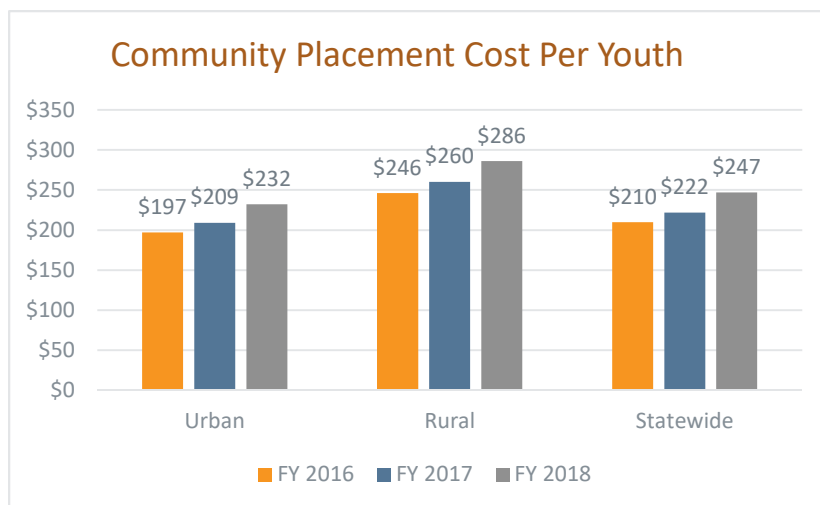
Beginning July 1, 2018, youth may only be ordered into community placements if there is a demonstrated assessed need for treatment, and if they meet placement criteria based on their offenses.<sup>10</sup> Once in placement, there is a presumption that youth would complete their treatment within three to six months and be provided aftercare services for another three to four months.

In FY 2016, the statewide cost per juvenile in community placement was \$209.81. That amount increased to \$221.96 in FY 2017 and to \$246.55 in FY 2018. Provider rates are based on a competitive response to a Department of Human Services Request for Proposal, as well as by available agency budgets.

For FY 2019, the division extended existing business agreements via amendment with youth residential providers. The amendment also provided an across the board increase of 5 percent to rates and includes an incentive for program completion in 90-days. This incentive is a requirement of reform legislation.<sup>11</sup> The Department of Human Services has secured the expertise of a consultant to examine market rates and make a recommendation.

<sup>10</sup> UCA 78A-6-117

<sup>11</sup> UCA 62A-7-107.5



*For FY 2019, the division provided an across the board increase of 5 percent to rates along with an incentive for successful program completion in 90-days.*

### BUDGET CUTS AND AGENCY NEEDS

As noted in the December 2017 HB 239 Juvenile Justice Amendments Annual Report, the changes implemented by JJS have been achieved through reinvestment of savings from the reduction and closure of residential programs; **no new appropriations were required**.<sup>12</sup> The division's on-going General Fund budget increased from FY 2016 to FY 2018 primarily due to new appropriations in the Compensation and ISF bills. JJS did not seek new building blocks in those years. The Compensation bill appropriated \$1,658,100 on-going General Fund in FY 2017 and \$2,336,900 in FY 2018. For FY 2019, the Compensation bill appropriated \$1,638,000 on-going General Fund to the division; however, the total on-going General Fund appropriation decreased by \$1,901,800 due to other General Fund reductions.

### DHS/Division of Juvenile Justice Services Appropriated Budgets, FY 2016 to FY 2019

<u>Total Legislative Appropriations:</u>	FY 2016	FY 2017	FY 2018	FY 2019
General Fund, On-Going	90,427,400	92,170,400	94,569,500	92,667,700
General Fund, One-Time	1,486,700	508,700	388,900	36,100
Dedicated Credits	2,329,900	1,786,100	1,591,800	1,396,600
Federal Funds	3,937,100	4,255,600	4,624,800	5,140,500
Transfers	(863,100)	643,500	(471,500)	(593,800)
<b>Total</b>	<b>97,318,000</b>	<b>99,364,300</b>	<b>100,703,500</b>	<b>98,647,100</b>

<sup>12</sup> HB 239 Juvenile Justice Amendments Annual Report, CCJJ, December 2017.



In FY 2018, the Legislature cut \$1.5 million from the division's General Fund budget one-time. One million was budgeted to be spent on performance-based contracts, but the requirement did not go into effect until the following fiscal year, resulting in a one-time savings.

In FY 2019, the Legislature cut \$4.1 million from the division's General Fund on-going. These cuts were from savings realized from the closures of two detention units, reconfiguring staffing for in-home Observation and Assessment, the closure of Wasatch Youth Center, and other programmatic changes.

There may be additional savings in FY 2020 as operational efficiency gains are realized through expanded use of contracts and through facility consolidation.

#### AGENCY NEEDS

The needs of Utah's young people who become involved in the juvenile justice system must be met through response strategies shown to be effective at reducing recidivism. These interventions often require multi-system approaches and may not always be delivered by traditional juvenile justice agencies. Rather, a human services response provides the best approach to addressing early on-set behavior to avoid youth being placed in state custody.

For youth who are ordered into state custody, comprehensive and assessment-driven responses must be applied. These interventions require highly skilled staff and professionally licensed individuals to deliver the evidence-based interventions and treatments for recidivism reduction. Under reform, such interventions must be delivered and successfully completed by the youth within three to six months. This focused approach requires a level of intensity that did not previously exist in the system. It also requires a significant investment that should result in improved outcomes over time.

It is critical that policy makers give the system sufficient time to fully implement reform and to make adjustments along the way in order to achieve recidivism reduction. While early indications are that reform has been successful in reducing the number of youth penetrating into the juvenile justice system, there is insufficient data to know yet the long term outcomes for these youths. Any decisions about resource reallocation need to be carefully considered and supported by sufficient data to avoid unintended consequences to the system.

Utah's juvenile justice system remains one of the best in the nation due to the willingness of state agencies and policy makers to continually strive to improve the system. System change is difficult, but will ultimately result in better outcomes for Utah's youth and families and improved public safety.